



February 22nd, 2011

United States Patent & Trademark Office
Commissioner for Patents /Office of Petitions
P.O. Box 1450
Alexandra, VA 22313

USPTO
RECEIPTS ACCOUNTING
DIVISION

2011 MAR -2 PM 4: 10

BOX-M
RECEIVED

MAR 10 2011

OFFICE OF PETITIONS

RE: Patent # 6,049,910 >> Petition To Pay Unavoidable /37CFR 1,378[b] >>
Payment Amount Sent \$ 1,940.00
Responding to letter mailed date of July 19th 2010 – To: Office of Petitions

Dear Commissioner of Patents,

My name is Andre McCarter. I am the patent holder for patent # 6,049,910. Because of injury disability and loss of work due to two surgeries in 2008 I was unable to pay the full maintenance fee and surcharge that was due prior to April 18th, 2008, thus my patent expired on April 19th, 2008.

Due to these circumstances, it has been an unavoidable set of financial and emotional circumstances that have prevented me from paying all fees required to reinstate my patent until now.

Reasonable care was taken to try to assure that my maintenance fee would be sent in on time. I mailed what I had, my check and information days in advance, via overnight USPS mail to assure prompt delivery and I addressed all issues in my letter that accompanied my check. Once I received notification of the expiration of my patent I did the best I could, taking all the steps I could, under adverse life and death circumstances, to keep my patent reinstated after working so hard to obtain it.

I was unable to work at my normal rate prior to April 18th, 2008 and unable to work at all soon after April 18th, 2008. My conditions continued on through two surgeries and rehab resulting from my "On The Job" injury. I have been in financial recovery mode dealing with my personal condition as well as the down economy through 2008, 2009, 2010 into 2011. I have finally been able to get myself in position to respond to the steps necessary to file this petition under 37 CFR 1. 378 (b).

Per a recent telephone call to the Office of Patents Attorney Cliff Congo, I have enclosed the required maintenance fee of \$1,240 set forth in 1.20 (e) through (g) and the surcharge set forth in 1.20 (i) (1) currently \$700.00.

Hopefully, I have addressed all the necessary issues that will enable my patent to be reinstated.

Thank you for your time, consideration and understanding in this matter.

If you have any questions or need any additional information please contact me.

Sincerely,

Andre McCarter
(818) 984-6500
touch.glove1@gmail.com

03/04/2011 DALLEN 00000019 6049910

01 FC:1599

1940.00 OP